



# The City of Grove City, Ohio

4035 Broadway • Grove City, Ohio 43123  
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Planning Commission Staff Report  
Lower Level Conference Room  
March 8, 2016 1:30pm

- 2. APPLICATION:**                      **Mill Street Market | Special Use Permit (Outdoor Seating)**
- Project Number:                      201601220003
- Location:                                3937 Broadway, located at the northwest corner of Broadway and Columbus Street (040-000070).
- Proposal:                                A Special Use Permit to allow an outdoor seating area on a proposed terraced patio on the southwest side of the Mill Street Market
- Applicant:                               Neil Baker; 4086 Broadway; Grove City, Ohio 43123.

## **Relevant Code Section(s):**

- 1135.09(b)(12), Special Use Permits

## **Project Summary**

The applicant is proposing to install an outdoor seating area for prospective restaurant tenants at the Mill Street Market, located at 3937 Broadway. The proposed seating area will be located along the building frontage on Columbus Street on a proposed terraced patio. The seating area will be located on the upper portion of the terrace with masonry retaining walls proposed between the lower terrace and sidewalk to prevent vehicles from entering the seating area. Landscape planters are proposed on the northwest and southeast sides of the patio to help define the terrace. The materials utilized in the construction and finish of the terrace will be examined under a separate Certificate of Appropriateness application.

Nine sets of tables and chairs are shown within the seating area – all within the upper terrace of the proposed patio. A site plan was submitted showing the approximate location of proposed tables and chairs. All furnishings have been placed to allow for access to the business entrances as well as between the various levels of the proposed terraced patio.

The applicant has submitted examples of potential table and chair sets to be utilized in the seating area. All options are black decorative metal and materials indicate that the specific furniture type will be determined by the tenant leasing the space. Materials also state that outdoor entertainment including music is proposed within the seating area. Such entertainment would go no later than 11pm on Fridays and Saturdays and 9pm on weeknights.

Materials indicate that outdoor sales could be held on the lower terrace of the patio; however the applicant has indicated that a separate special use permit will be submitted for this request in the future.

### **Code Analysis:**

Per Section 1135.09, the Planning Commission is responsible for reviewing Special Use Permit requests and recommending approval, approval with modifications or denial to City Council based on findings of compliance with the standards and requirements of this Code (*see relevant code sections*) and subject to the conditions established by the Planning Commission to ensure compliance with the letter and intent of this Code. The following is the Development Department's evaluation based on code standards and requirements.

1. *The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;*

**Standard is Met:** The proposed outdoor seating area is in harmony with the intended character of the Town Center area. Multiple restaurants in the area have outdoor seating areas.

2. *The proposed use shall not adversely affect the use of adjacent property;*

**Standard is Met:** The proposed outdoor seating area will be entirely on the Mill Street Market property, directly adjacent to the building. The seating area will not inhibit the vehicular or pedestrian circulation on the site or to the surrounding properties.

3. *The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;*

**Standard is Met:** The proposed outdoor seating area will not adversely affect the health, safety, morals or welfare of persons residing or working in the neighborhood. The seating area will be separated from the sidewalk and street by masonry retaining walls and permanent landscape planters to prevent vehicles from entering the seating area. Although materials indicate that entertainment and will be provided in the seating areas, staff does not feel this will adversely affect area properties as the applicant has indicated specific hours of during which the entertainment will be provided, and the nearest residential structure is almost 300 feet away from the seating area on the opposite side of the building.

4. *The proposed use shall be served adequately by public facilities and services such as, but not limited to, roads, police and fire protection, storm water facilities, water, sanitary sewer, and school;*

**Standard is Met:** The proposed use will not place any further demand on public services.

5. *The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;*

**Standard is Met:** The outdoor seating area will not impact the public right-of-way.

6. *The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;*

**Standard is Met:** The use is in accordance with the intent of all applicable code requirements and ordinances of the City.

7. *The proposed use complies with the applicable specific provisions and standards of this Code;*

**Standard is Met:** The use is in accordance with the intent of all applicable code requirements.

8. *The proposed use shall be found to meet the definition and intent of a use specifically listed as a special use in the district in which it is proposed to be located;*

**Standard is Met:** The site is located in the CBD, Central Business District, in which outdoor seating areas are permitted with a Special Use Permit.

9. *A completed application indicating the Specific Special Use permit activity intended by the applicant shall be submitted to the Department of Development by the Council approved submittal dates;*

**Standard is Met:** The applicant properly submitted a completed application.

### **Recommendation**

After review and consideration, the Development Department recommends Planning Commission make a recommendation of approval to City Council for the Special Use Permit with the following stipulation:

1. Tables and chairs utilized in the outdoor seating area shall be decorative black metal.